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19 Attorneys for Defendants

20 UNITED STATES DISTRICT COURT  
21 NORTHERN DISTRICT OF CALIFORNIA  
22 SAN JOSE DIVISION

23 ELIEL PAULINO,

24 Plaintiff,

25 v.

26 MARCO CRUZ, INDIVIDUALLY  
27 AND AS AN OFFICER OF THE SAN  
28 JOSE POLICE DEPARTMENT,  
GERARDO SILVA, INDIVIDUALLY  
AND AS AN OFFICER OF THE SAN  
JOSE POLICE DEPARTMENT,  
GURBAKSH SOHAL,  
INDIVIDUALLY AND AS AN  
OFFICER OF THE SAN JOSE  
POLICE DEPARTMENT, and DOES  
1-10, INCLUSIVE,

Defendants.

Case Number: 16-cv-02642 NC

**STIPULATION TO AMEND  
JUDGMENT; [PROPOSED]  
ORDER FOR AMENDED  
JUDGMENT AND ATTORNEY  
FEES AND COSTS**

Judgment Entered: July 31, 2017

IT IS STIPULATED BY AND BETWEEN THE PARTIES THAT:

1. Judgment in this case was entered on July 31, 2017, in favor of Plaintiff Eliel Paulino against Defendants Marco Cruz, Gerardo Silva, and Gurbaksh Sohal in the total amount of \$450,000.00. In said judgment, the Court awarded costs and reasonable attorney's fees to Plaintiff.
2. The parties met and conferred with respect to costs and fees, and came to agreement with respect to those amounts. In that process, the parties also agreed to amend the Judgment, subject to the Court's approval, to vacate the punitive damages finding against the Defendants and have the punitive damage award included within in the compensatory damage award.
3. With respect to the costs and fees the parties stipulate, subject to the Court's approval, that Plaintiff shall recover his costs and attorney fees in the amount of \$250,000.00.
4. Accordingly, the parties request an Order instructing the Clerk of the Court to file an Amended Judgment reflecting the punitive damages finding against the Defendants be vacated, that Plaintiff shall recover \$450,000.00 in compensatory damage and Plaintiff shall recover costs and attorney fees in the amount of \$250,000.00.

DATED: September 15, 2017

Respectfully submitted,

RICHARD DOYLE, City Attorney

By: /s/ Nora Frimann  
NORA FRIMANN  
Assistant City Attorney  
Attorney for Defendants

DATED: September 15, 2017

LAW OFFICES OF MORALES &  
LEANOS

By: /s/ Jaime A. Leanos  
JAIME A. LEANOS  
Attorney for Plaintiff

1 I attest that Plaintiff's counsel has read and approved this document, and given  
2 consent to the filing of the same with the Court.

3  
4 DATED: September 15, 2017

RICHARD DOYLE, City Attorney

5 By: /s/ Nora Frimann  
6 NORA FRIMANN  
7 Assistant City Attorney  
8 Attorney for Defendants

9  
10 **ORDER**

11 PURSUANT TO THE STIPULATION, IT IS ORDERED that:

12 The Judgment, entered on July 31, 2017, in favor of Eliel Paulino, shall be  
13 amended to vacate the punitive damage finding against the Defendants. The Clerk  
14 shall file the attached Amended Judgment.

15 Dated: \_\_\_\_\_

16 HON. NATHANAEL COUSINS  
17 United States District Court Judge  
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